

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re: ST. CATHERINE HOSPITAL OF PA, LLC,	:	Chapter 7
aka ST. CATHERINE MEDICAL CENTER	:	Case No. 5-12-02073
OF FOUNTAIN SPRINGS,	:	
Debtor	:	

WILLIAM G. SCHWAB, Trustee for the Estate of	:	
St. Catherine Hospital of PA, LLC,	:	
Movant,	:	Nature of Proceeding:
vs.	:	11 U.S.C. § 363(f)
INTERNAL REVENUE SERVICE,	:	
PA DEPARTMENT OF REVENUE,	:	
PA DEPARTMENT OF LABOR AND INDUSTRY,	:	
SCHUYLKILL COUNTY TAX CLAIM BUREAU,	:	
NORTH SCHUYLKILL SCHOOL DISTRICT,	:	
BUTLER TOWNSHIP, and	:	
LEASE ASSOCIATES, INC.,	:	
Respondents.	:	

**CONSENT ORDER APPROVING TRUSTEE'S
SALE OF REAL PROPERTY PURSUANT TO 11 U.S.C. § 363(b) AND (f)**

AND NOW, upon consideration of the Amended Motion to Sell Real Property at Public Auction Free and Clear of Liens, Claims, Interests, and Encumbrances Pursuant to 11 U.S.C. § 363(f) with Any Valid Claims Attaching to Sales Proceeds (the "Motion"), and it appearing that notice of the Motion was adequately given under Bankruptcy Rules 2002 and 6004, and it appearing that Lease Associates, Inc. consents to the entry of this order, it is hereby ORDERED and DECREED that the Motion is GRANTED in its entirety; and it is further

ORDERED that the Trustee is granted leave to sell said real property of the estate located at 101 Broad Street, Ashland, Butler Township, Schuylkill County, Pennsylvania

(the "Real Property") at public auction on November 29, 2013, beginning at 9:00 a.m., or such other continued dates at the property location, provided that the net sales proceeds resulting from the sale of the Real Property shall be in an amount sufficient to satisfy all valid liens on the Real Property. The sale of the Real Property shall be free and clear of all liens, claims, interests, and encumbrances. Any valid liens, claims, interests, and encumbrances in the Real Property shall attach to the proceeds of sale. The Trustee is also authorized to execute and deliver all papers and documents necessary to transfer the Real Property and to effectuate the sale; and it is further

ORDERED that any stay of this Order under Bankruptcy Rule 6004(h) is waived; and it is further

ORDERED that the proceeds from the sale of the Real Property shall be distributed as follows at settlement:

- a. Any out-of-pocket expenses advanced by WILLIAM G. SCHWAB, ESQUIRE, in connection with the sale of the Real Property, and which have not been reimbursed at the time of settlement, along with a reserve of Three (3%) percent for a potential Trustee statutory commission under 11 U.S.C. _ 326(a) to be held until further Order of Court;
- b. Any notarization and/or incidental recording fees associated with the sale of the Real Property;
- c. Any transfer tax which is the responsibility of the seller herein;
- d. Three (3%) Percent to Houser Auctioneers, representing the auctioneer's commission, plus the pro-rata reasonable expenses in conjunction with the sale;
- e. Any unpaid real estate taxes and other municipal claims/liens arising from property, including one (1%) percent of the real estate transfer taxes which are the responsibility of the seller herein;

- f. The amount of the Judgment asserted by Lease Associates, Inc. (\$168,759.73) shall be escrowed and held in the Trustee's escrow account until such time as Adversary Proceeding No. 5:13-ap-00171(JJT) is resolved;
- g. The balance of the proceeds shall be held in the Trustee's escrow account pending further notice as to distribution or further Order of Court; and it is further

ORDERED, that any objections to the relief requested in the Motion are overruled to the extent not previously resolved or withdrawn.

LEISAWITZ HELLER

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BRANZBURG LLP

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Attorney for Lease Associates, Inc.

*Attorney for William G. Schwab, as
Chapter 7 Trustee
of the Estate of Saint Catherine Hospital
of Pennsylvania, LLC*

By the Court,



John J. Thomas, Bankruptcy Judge
(PJR)

Dated: October 18, 2013